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Forty-sixth session
Agenda item 128

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Sixth Committee (A/46/687)]

46/55. Consideration of the draft articles on jurisdictional immunities of States and their property

The General Assembly,

Noting that the International Law Commission, taking into account the written comments of Governments as well as views expressed in debates in the Assembly, completed at its forty-third session the second reading of the draft articles on jurisdictional immunities of States and their property, 1/

Noting also that, as reflected in paragraph 25 of the report of the International Law Commission on the work of its forty-third session, 1/ the Commission decided to recommend that the General Assembly should convene an international conference of plenipotentiaries to examine the draft articles on jurisdictional immunities of States and their property and to conclude a convention on the subject,

Mindful of Article 13, paragraph 1 (a), of the Charter of the United Nations, which provides that the General Assembly shall initiate studies and make recommendations for the purpose of encouraging the progressive development of international law and its codification,

Believing that the successful codification and progressive development of the rules of international law governing jurisdictional immunities of States and their property would assist in promoting and implementing the purposes and principles set forth in Articles 1 and 2 of the Charter,

Recognizing the desirability of the conclusion of a convention on jurisdictional immunities of States and their property,

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1/ See Official Records of the General Assembly, Forty-sixth Session, Supplement No. 10 (A/46/10), chap. II.

Recognizing also the importance, for the successful completion of such a convention, of the promotion of general agreement,

1. Expresses its appreciation to the International Law Commission for its valuable work on jurisdictional immunities of States and their property and to the special rapporteurs for their contribution to this work;

2. Invites States to submit, not later than 1 July 1992, their written comments and observations on the draft articles adopted by the International Law Commission;

3. Requests the Secretary-General to circulate such comments and observations so as to facilitate a discussion on the subject at the forty-seventh session of the General Assembly;

4. Decides to establish at its forty-seventh session an open-ended working group of the Sixth Committee to examine, in the light of the written comments of Governments, as well as views expressed in debates at the forty-sixth session of the Assembly;

(a) Issues of substance arising out of the draft articles, in order to facilitate a successful conclusion of a convention through the promotion of general agreement;

(b) The question of the convening of an international conference, to be held in 1994 or subsequently, to conclude a convention on jurisdictional immunities of States and their property;

5. Decides to include in the provisional agenda of its forty-seventh session an item entitled "Convention on jurisdictional immunities of States and their property".

67th plenary meeting
9 December 1991